

UNITED STATES DISTRICT COURT

District of Massachusetts

TODD FENER

V.

SUMMONS IN A CIVIL ACTION

ASPEN TECHNOLOGY, INC.,
LAWRENCE B. EVANS,
LISA W. ZAPPALA,
DAVID McQUILLIN and
CHARLES F. KANE

CASE NUMBER:

04 C 12375 RCL

Charles F. Kane
c/o Aspen Technology, Inc.
Ten Canal Park
Cambridge, MA 02141

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)
Theodore M. Hersh-Mahar
Shapiro Haber & Urmy LLP
53 State Street
Boston, MA 02109

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an answer to the complaint which is served on you with this summons, within _____ days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

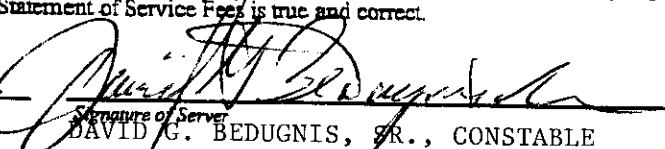


CLERK

DATE

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE DECEMBER 10, 2004 at 3:30 P.M.	
NAME OF SERVER (PRINT) DAVID G. BEDUGNIS, SR.	TITLE CONSTABLE	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: <input type="checkbox"/> Returned unexecuted:		
BY GIVING SAID COPIES IN HAND TO KIM KADING, EXECUTIVE ASST./LEGAL DEPARTMENT XX Other (specify): OF ASPEN TECHNOLOGY, INC., IT'S AGENT AND PERSON IN CHARGE OF THE BUSINESS AT THE TIME OF SERVICE. SAID SERVICE WAS MADE AT ASPEN TECHNOLOGY, INC., TEN CANAL PARK, CAMBRIDGE, MASSACHUSETTS. SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY.		
STATEMENT OF SERVICE FEES		
TRAVEL \$20.00	SERVICES \$25.00	TOTAL \$45.00
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on DEC 10 2004 at 3:30 p.m.	<div style="text-align: center;">  Signature of Server DAVID G. BEDUGNIS, SR., CONSTABLE %ROScoe, BEDUGNIS & ASSOCIATES 15 COURT STREET, SUITE 450 BOSTON, MASSACHUSETTS 02108 Address of Server </div>	

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

 CHASE E. KADIN
 1000 IN
 TEN CANAL PARK